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10 Attorney for Chase Home Finance LLC
11 [FILE 09-020182 CHE]

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

8 In re:
9 GONZALO CASTANEDA AND VERONICA
10 LYNN BROWN-CASTANEDA,
11 Debtor.

Case # 2:09-bk-31617-RTB

Chapter 13

OBJECTION TO CHAPTER 13 PLAN BY
Chase Home Finance LLC

12 Chase Home Finance LLC, ("CHASE"), a secured creditor
13 in this bankruptcy case, through undersigned counsel hereby
14 objects to the confirmation of the Chapter 13 Plan filed by the
15 Debtor for the reasons stated below.

16 1. CHASE is the holder of a note ("the CHASE Note"),
17 secured by a deed of trust recorded in the first position
18 against certain real property, ("the Property"), generally
19 described as 8225 West Nicolet Avenue, Glendale, AZ 85303 and
20 legally described as:

21 LOT NINETY-EIGHT, WEST GLENN ESTATES, ACCORDING TO THE
22 PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF
23 MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 489 OF
24 MAPS, PAGE 35.

CASE # 2:09-BK-31617-RTB

OBJECTION TO PLAN

PAGE 1

1 A copy of the note and deed of trust held by CHASE are
2 attached hereto as exhibits "A" and "B". Upon information and
3 belief, the above-described real property is the principal
4 residence of the Debtor.

5 2. When the bankruptcy petition was filed on
6 December 8, 2009, the payments under the terms of the CHASE Note
7 were in default. The plan incorrectly states the amount of the
8 default on the CHASE Note. The correct amount of the default is
9 as follows:

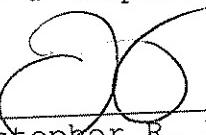
10 ARREARAGE AMOUNT DUE at the time the case was filed:
11 Escrow Shortage \$479.85
11 Bankruptcy Attorneys' Fees & Costs** 300.00
11 **TOTAL ARREARAGE AND OTHER CHARGES: \$779.85**

12 3. CHASE objects to the Confirmation unless the regular
13 post-petition payments due on the Note are current

14 WHEREFORE, CHASE objects to confirmation of the
15 chapter 13 Plan.

16 DATED this 5 day of January, 2010.

17 Perry & Shapiro, L.L.P.

18 
19 Christopher R. Perry
20 Jason P. Sherman
21 Attorney for CHASE

1 Copy of the foregoing was mailed
2 this 5 day of January, 2010 to:

3 Chapter 13 Trustee:
4 Edward J. Maney
P.O. BOX 10434
Phoenix, AZ 85064

5 Attorney for Debtor:
6 Joseph W. Charles
P.O. Box 1737
Glendale, AZ 85311

7

8 Debtor:
9 Gonzalo Castaneda and Veronica Lynn Brown-Castaneda
8225 West Nicolet Avenue
Glendale, AZ 85303

10

11 United States Bankruptcy Court
230 N. First Ave., Suite 204
12 Phoenix, AZ 85003-1706

13

14 By Anne Mallie

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